



General Assembly

January Session, 2001

***Amendment***

LCO No. 7694

Offered by:

REP. NYSTROM, 46<sup>th</sup> Dist.

REP. MALONE, 47<sup>th</sup> Dist.

REP. DEMARINIS, 40<sup>th</sup> Dist.

SEN. PETERS, 20<sup>th</sup> Dist.

To: Subst. Senate Bill No. 3

File No. 472

Cal. No. 501

*(As Amended by Senate Amendment Schedule "B")*

**"AN ACT CONCERNING DISCHARGE PLANS FOR CERTAIN  
VIOLENT OR ABUSIVE PATIENTS TRANSFERRED TO NURSING  
HOMES."**

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- 1 In line 1, before "(NEW)" insert "Section 1."
- 2 After the last line, insert the following:
- 3 "Sec. 2. (NEW) Any licensed residential treatment facility that
- 4 provides adult mental health or substance abuse treatment services, or
- 5 both, and receives state funds for the provision of such services shall
- 6 prepare a discharge plan, including housing referrals, for each client
- 7 receiving such services prior to such client's release from such
- 8 residential treatment facility. The Commissioner of Mental Health and
- 9 Addiction Services may adopt regulations, in accordance with chapter
- 10 54 of the general statutes, to carry out the provisions of this section.

11 Sec. 3. Section 19a-495 of the general statutes is repealed and the  
12 following is substituted in lieu thereof:

13 (a) The Department of Public Health shall, after consultation with  
14 the appropriate public and voluntary hospital planning agencies,  
15 establish classifications of institutions. [It] The department shall, in [its]  
16 the Public Health Code, adopt, amend, promulgate and enforce such  
17 regulations based upon reasonable standards of health, safety and  
18 comfort of patients and demonstrable need for such institutions, with  
19 respect to each classification of institutions to be licensed under  
20 sections 19a-490 to 19a-503, inclusive, including their special facilities,  
21 as will further the accomplishment of the purposes of said sections in  
22 promoting safe, humane and adequate care and treatment of  
23 individuals in institutions. [Said] The department shall adopt such  
24 regulations, in accordance with chapter 54, concerning home health  
25 care agencies and homemaker-home health aide agencies, as defined in  
26 section 19a-490.

27 (b) The department shall establish a pilot program in New London  
28 County under which the department shall include within one such  
29 classification of institutions designated as special facilities to be  
30 licensed pursuant to subsection (a) of this section any property owned,  
31 leased or controlled by any such institution that operates on a for-  
32 profit basis and accommodates not less than three or more than five  
33 unrelated persons, each of whom is receiving mental health or  
34 substance abuse treatment from such institution or its subsidiary or  
35 affiliate, provided such services and treatment were identified in the  
36 discharge plan prepared by such institution for such individual. The  
37 department shall adopt regulations, in accordance with chapter 54, to  
38 implement the pilot program established pursuant to this subsection.

39 [(b)] (c) The Department of Public Health, with the advice of the  
40 Department of Mental Health and Addiction Services, shall include in  
41 the regulations adopted pursuant to subsection (a) of this section,  
42 additional standards for community residences, as defined in section  
43 19a-507a, which shall include, but not be limited to, standards for: (1)

44 Safety, maintenance and administration; (2) protection of human  
45 rights; (3) staffing requirements; (4) administration of medication; (5)  
46 program goals and objectives; (6) services to be offered; and (7)  
47 population to be served.

48 [(c)] (d) The Commissioner of Public Health may waive any  
49 provisions of the regulations affecting the physical plant requirements  
50 of residential care homes, as defined in section 19a-490, if the  
51 commissioner determines that such waiver would not endanger the  
52 health, safety or welfare of any resident. The commissioner may  
53 impose conditions, upon granting the waiver, that assure the health,  
54 safety and welfare of residents, and may revoke the waiver upon a  
55 finding that the health, safety or welfare of any resident has been  
56 jeopardized. The commissioner shall not grant a waiver that would  
57 result in a violation of the State Fire Safety Code or State Building  
58 Code. The commissioner may adopt regulations, in accordance with  
59 chapter 54, establishing procedures for an application for a waiver  
60 pursuant to this subsection."